

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 4, 1998

DIVISION ONE

B116190 Jeffrey Bucher, Individually and (Not for Publication)
 as Trustee, etc., et al.
 v.
 Superior Court, Los Angeles County
 (Arlan Tarhan, r.p.i.)

Let a peremptory writ of mandate issue, commanding respondent court (1) to vacate its October 2, 1997 order granting in part defendants' motion to disqualify plaintiff/cross-defendant's counsel, and (2) to enter a new order granting the motion in its entirety. Petitioners are entitled to costs in connection with this proceeding.

Masterson, J.

We concur: Spencer, P.J.
 Ortega, J.

DIVISION TWO

B109540 Ray (Certified for Publication)
 v.
 First Federal Bank of California

The judgment is affirmed.

Fukuto, J.

We concur: Boren, P.J.
 Zebrowski, J.

DIVISION TWO (Continued)

B108517 Robert F. Kennedy Medical Center (Not for Publication)
 v.
 State Department of Health Services

The judgment is affirmed.

Fukuto, J.

We concur: Boren, P.J.
 Zebrowski, J.

B097443 Hechinger (Not for Publication)
 v.
 Skiles

The judgment (order of dismissal) in case No. BC117366 is affirmed. The judgment (order of dismissal) in case No. SC028790 is reversed and the trial court is directed to overrule the individual respondents' demurrer to the second and fourth causes of action and to grant Hechinger and Torres a reasonable time to amend their sixth cause of action consistent with the views stated in this decision. The parties shall bear their own costs on appeal.

Fukuto, Acting P.J.

We concur: Nott, J.
 Zebrowski, J.

DIVISION THREE

B108099 People (Not for Publication)
 v.
 Zaragoza

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
 Croskey, J.

DIVISION THREE (Continued)

B096208 Francisco Paz (Not for Publication)

v.
State of California, et al.

The judgments in favor of KOA, Stoneman, the City and Caltrans are reversed. Paz is awarded the costs on appeal.

Aldrich, J.

I concur: Klein, P.J.
I dissent: Kitching, J. (Opinion)

DIVISION FOUR

B107167 People (Not for Publication)

v.
Jolivette

The Court:

The judgment is affirmed.

Vogel (C.S.), P.J., Epstein, J., Baron, J.

B116414 David C. (Not for Publication)

v.
Superior Court, Los Angeles County
(Department of Children & Family Services, r.p.i.)

The petition for extraordinary writ is denied on the merits.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

DIVISION FOUR (Continued)

B110801 People (Not for Publication)
v.
Cortez

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

B103544 People (Not for Publication)
v.
DeJohnette & Phillips

The judgment against Phillips is reversed with respect to the conviction for murder, and is otherwise affirmed in all other respects. The judgment against DeJohnette is reversed with respect to the one-year enhancement under the conviction for robbery, and the trial court is directed to modify her sentence by deleting this enhancement. The judgment against DeJohnette is affirmed in all other respects.

Baron, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

DIVISION FIVE

B103553 Yang Suk Kim (Not for Publication)
v.
Byung Ho Ha et al.
Arthur Cooper

The order imposing monetary sanctions is affirmed. The Lighthouse Church, San Nam Lee, Byung Ho Ha, Hee Keun Kim, and Young Chul Jeon are awarded their costs on appeal.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

February 4, 1998-Continued

DIVISION FIVE (Continued)

B108742 People (Not for Publication)
v.
Randall Stewart

The judgment is affirmed.

Jackson, J. (Assigned)

We concur: Turner, P.J.
 Grignon, J.

B108623 People (Not for Publication)
v.
Ramon Padilla

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.
 Armstrong, J.

DIVISION SIX

B110754 People (Certified for Publication)
v.
Satz

The judgment is affirmed.

Yegan, J.

We concur: Stone, P.J.
 Gilbert, J.

February 4, 1998-Continued

DIVISION SIX (Continued)

B112225 People (Not for Publication)
v.
Reid

The judgment is affirmed.

Gilbert, J.

We concur: Stone, P.J.
Yegan, J.

B114766 People (Not for Publication)
v.
Estel

The judgment (order of commitment) is affirmed.

Yegan, J.

We concur: Stone, P.J.
 Gilbert, J.

DIVISION SEVEN

B106950 People
v.
Hernandez

Filed order recalling remittitur issued December 23, 1997, vacating opinion filed October 22, 1997, and refileing same opinion this date.

February 4, 1998-Continued

DIVISION SEVEN (Continued)

B108417 People (Not for Publication)
v.
Perez

The judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.
Woods, J.

B110610 People (Not for Publication)
v.
Garcia

The judgments of conviction in this case were previously affirmed by this court. The order granting appellant's motion to dismiss a strike is reversed, the sentence is vacated, and the cause is remanded with directions to the trial court to deny the motion to dismiss a strike, to resentence appellant as a "third strike" offender on his current robbery conviction, with separate five year enhancements for each of his two prior serious felony convictions, and to resentence him on the Vehicle Code offense in conformity with this opinion.

Neal, J.

We concur: Johnson, Acting P.J.
Woods, J.